

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 18-00153-01-CR-W-RK
)	
JOEL JEROME TUCKER,)	
)	
Defendant.)	

**DEFENDANT'S MOTION FOR CONTINUANCE
WITH SUGGESTIONS**

Comes now the defendant, Joel Jerome Tucker, by his undersigned counsel, Anita L. Burns, Assistant Federal Public Defender in accordance with Rule 47, Fed. R. Crim. P. and Rules 7.1(b) and (c) of the Local Rules of Procedure of the United States District Court for the Western District of Missouri, and moves this Court, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B) to remove this case from the Accelerated Joint Criminal Trial Docket scheduled to commence January 7, 2019 and to continue this case until the Accelerated Joint Criminal Trial Docket scheduled to commence September 23, 2019.

SUGGESTIONS IN SUPPORT OF MOTION FOR CONTINUANCE

1. On July 10, 2018, the office of the Federal Public Defender was appointed to represent defendant Mr. Tucker.
2. On June 5, 2018, defendant was charged by Indictment with twelve counts of Interstate Transportation of Stolen Money in violation of 18 U.S.C. §2314, with two counts of Bankruptcy Fraud in violation of 18 U.S.C. §157, and with one count of Falsification of Record in Bankruptcy in violation of 18 U.S.C. §§1519 and 2.
3. Discovery in this case is voluminous, undersigned counsel needs additional time to

review and discuss all the discovery and options with defendant so that he may make an informed decision. Additional time is also needed to conduct independent legal and factual investigation.

4. There are no objections to the granting of this continuance by Kate Mahoney, Assistant United States Attorney.

5. This continuance is sought not for the purpose of dilatory delay, but is sought in truth and fact that the defendant may be afforded due process of law under the Fifth Amendment to the United States Constitution and afforded effective assistance of counsel under the Sixth Amendment to the United States Constitution. In accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (B)(IV), it is submitted that the above-stated reasons for a continuance outweigh the best interests of the public and the defendant to a speedy trial which is required by 18 U.S.C. § 3161(c)(1).

6. Under the provisions of 18 U.S.C. § 3161(h)(7)(A), the period of time until the next criminal trial docket should be excluded in computing the period of time in which the defendant should be brought to trial under the provisions of the Speedy Trial Act.

WHEREFORE, defendant Joel Jerome Tucker, respectfully requests this Court, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B), from the Accelerated Joint Criminal Trial Docket scheduled to commence January 7, 2018, and to continue this case until the Accelerated Joint Criminal Trial Docket scheduled to commence September 23, 2019.

Respectfully submitted,

/s/Anita L. Burns
ANITA L. BURNS
Assistant Federal Public Defender
818 Grand, Suite 300
Kansas City, MO 64106
(816) 471-8282

CERTIFICATE OF SERVICE

In accordance with Rule 49(a), (b) and (d), Fed. R. Crim. P., and Rule 5(b), Fed. R. Civ. P., it is hereby CERTIFIED that the foregoing motion was electronically filed and emailed to Kate Mahoney, Assistant United States Attorney, this 13th day of December, 2018.

/s/Anita L. Burns
Anita L. Burns